

## **DRAFT MEETING MINUTES CITY OF MILPITAS**

**Meeting Minutes:** Regular Meeting of the Redevelopment Agency  
(Including Joint Meeting with the City Council)

**Date:** Tuesday, September 19, 2006

**Time:** 7:00 PM

**Location:** City Hall Council Chambers, 455 E. Calaveras Blvd.

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### **JOINT REDEVELOPMENT AGENCY AND CITY COUNCIL MEETING**

- RA1. CALL TO ORDER** Mayor/Agency Chairman Esteves called to order the regular meeting of the Milpitas Redevelopment Agency, meeting jointly with the City Council, at 7:30 PM.
- RA2. ROLL CALL** **PRESENT:** Mayor/Chair Esteves, Vice Mayor/Vice Chair Gomez and Agency/Councilmembers Giordano, Livengood and Polanski
- ABSENT:** None
- RA 3. MEETING MINUTES** Motion: approve the Redevelopment Agency minutes of September 5, 2006, including joint meeting with the City Council, as submitted.
- Motion/Second: Agency/Councilmember Polanski /Agency/Councilmember Giordano
- Motion carried by a vote of: AYES: 5  
NOES: 0
- RA 4. Approval of Agenda and Consent Calendar** Motion: approve the agenda and RDA consent calendar
- Vice Mayor Gomez asked for Item No. RA6 to heard prior to No. RA5.
- Motion/Second: Vice Chair/Vice Mayor Gomez/ Agency/Councilmember Livengood
- Motion carried by a vote of: AYES: 5  
NOES: 0
- RA 5. Public Hearing:** Economic Development Manager Diana Whitecar noted the goal to amend the two redevelopment areas in the City, as she had informed the Agency/Council prior to this date. The legal action was to extend the life of the two project areas (with the exception of the MidTown area added in 2003), which must be done via the introduction and adoption of ordinances.
- 1 The Mayor opened the public hearing for comments; none heard.

(1) Motion: Close the public hearing

Motion/Second: Vice Chair/Vice Mayor Gomez/ Agency/Councilmember Livengood

Motion carried by a vote of: AYES: 5  
NOES: 0

City Attorney Mattas read aloud the title of Ordinance No.192.16 “An Ordinance of the City of Milpitas, California, Amending Certain Time Limitations with Respect to the Amended and Restated Redevelopment Plan for the Milpitas Redevelopment Project Area No. 1”

(2) Motion: Waive the first reading beyond the title of Ordinance No. 192.16

Motion/Second: Vice Chair/Vice Mayor Gomez/ Agency/Councilmember Livengood

Motion carried by a vote of: AYES: 5  
NOES: 0

(3) Motion: Introduce Ordinance No. 192.16 amending Redevelopment Plan for Project Area No. 1 to extend the life of the project area, as allowed by Senate Bill 1096

Motion/Second: Vice Chair/Vice Mayor Gomez / Agency/Councilmember Giordano

Motion carried by a vote of: AYES: 5  
NOES: 0

Next, City Attorney Mattas read aloud the title of Ordinance No.192.17 “An Ordinance of the City of Milpitas, California, Amending Certain Time Limitations with Respect to the Redevelopment Plan for the Great Mall Redevelopment Project”

(4) Motion: Waive the first reading beyond the title of Ordinance No. 192.17

Motion/Second: Agency/Councilmember Livengood / Vice Chair/Vice Mayor Gomez

Motion carried by a vote of: AYES: 5  
NOES: 0

(5) Motion: Introduce Ordinance No. No. 192.17 amending the Great Mall Redevelopment Project Plan to extend the life of the project area, as allowed by Senate Bill 1096

Motion/Second: Vice Chair/Vice Mayor Gomez/ Agency/Councilmember Livengood

Motion carried by a vote of:

AYES: 5

NOES: 0

**RA 6.** Approve Project Stabilization Agreement for the New Library, Project 8162

CIP Project Manager Mark Rogge introduced the Library Project related issue. He had been pleased to work with Mr. Neil Struthers of the Santa Clara and San Benito Counties Building and Construction Trades Council and Mr. Michael J. Vlaming of Scarth-Lyons and Associates.

The Project Stabilization Agreement was presented for approval by the Agency/Council, with five major points highlighted by staff. No. 2 was the intent for no construction work stoppage, strikes, sympathy strikes or lockouts (though they could withhold labor under one circumstance described). Most unique in this agreement was the Building Construction Education Program, an effort to educate local students to about the trades, and introduce students to possible career choices.

Councilmember Polanski commented (as Mr. Livengood had the last meeting on this subject) that an excellent part of the PSA was the education portion for local students. She was very pleased with the inclusion for the benefit of local high school students.

Councilmember Livengood wanted to echo what Ms. Polanski said. The agreement made strong demands on staff, it looked at new ideas, and would maintain a good relationship with the schools and Milpitas students.

Vice Mayor Gomez agreed, too, with his two colleagues. He believed there were lessons learned from previous projects in the City, and with this agreement it encouraged good labor practices, as the City moved toward construction of the new library.

Mayor Esteves asked if there were any speakers on this issue.

**Neil Struthers**, President of Building and Construction Trades Council, thanked all the construction workers who came down to the meeting – many were seated in the audience. He thanked City staff Mr. Rogge and City Engineer Greg Armendariz. He was glad it did not have to be the same old struggle, while there was innovation with tools available, as he pointed to the PSA document. Mr. Struthers also mentioned S4CA, a new non-profit group about education for young people.

Motion: Approve the Project Stabilization Agreement for the Milpitas Public Library, Project No. 8162; and, direct staff to work with the Building and Construction Trades Council, Milpitas Unified School District, and the library contractor to develop related educational

opportunities and report back to the Library Subcommittee and City Council.

Motion/Second: Agency/Councilmember Livengood / Vice Chair/Vice Mayor Gomez

Mayor Esteves reminded his colleagues that he voted no on the concept for a project labor agreement idea in the past, and continued to maintain that position.

Motion carried by a vote of:

AYES: 4

NOES: 1

(Esteves)

**\* RA 7.** Resolution Granting Initial Acceptance: Storm Water Pump Station Improvements

Adopted Resolution No. RA 266 granting initial acceptance of Oak Creek Pump Station Improvement/Project No. 8140 and Pump Station Improvement - Replacement Roofs at Bellew and Penitencia/Project No. 8106, subject to the one-year warranty period and reduction of the faithful performance bond to \$9,436.10.

**\* RA 8.** Approve Contract Change Order for D'arcy & Harty on the North Main St. Utilities Project

Authorized staff to approve a contract change order in the amount of \$69,670.14 to D'Arcy & Harty Construction, Inc. for additional work for N. Main Street Utilities, Project No. 8153.

**RA 9. ADJOURNMENT**

Chair/Mayor Esteves adjourned the Redevelopment Agency meeting at 7:49 PM.

Respectfully submitted by:

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**Mary Lavelle**  
**Agency Secretary/City Clerk**